

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. CR-18-227-SLP
)	
)	
JOSEPH MALDONADO-PASSAGE,)	
)	
Defendant.)	

RESPONSE TO GOVERNMENT’S MOTION IN LIMINE - DOC. 73

Counsel for defendant Joseph Maldonado-Passage, submit the following response to the government’s motion in limine (Doc. 73) filed March 5, 2019, regarding evidence and/or innuendos regarding the death of Carol Baskin’s late husband. At this time, counsel for Mr. Maldonado-Passage do not anticipate the circumstances surrounding the death of Carole Baskin’s late husband will become relevant. However, counsel note that a text message exchange between Agent Matthew Bryant and Jeffery Lowe concerning this topic is in the discovery material. The following reference to the discovery material will assist the government in locating this message. *See Discovery, bate stamp numbers D10531-10532 (disk 9).*

If counsel for Mr. Maldonado-Passage believe reference to the circumstances surrounding the death of Ms. Baskin’s late husband become relevant at any point in the trial, counsel will alert the Court and the matter can be taken up outside the presence of the jury.

Respectfully submitted,

s/ William P. Earley

WILLIAM P. EARLEY

Bar Number 11293

KYLE E. WACKENHEIM

Bar Number 30760

ASSISTANT FEDERAL PUBLIC DEFENDERS

SUITE 109, 215 DEAN A. MCGEE AVENUE

OKLAHOMA CITY, OKLAHOMA 73102

(405)609-5930 FAX (405) 609-5932

COUNSEL FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on this the 8th day of March, 2019, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic filing to the following ECF registrants: Amanda Green and Charles Brown, Assistant United States Attorneys.

s/ William P. Earley

WILLIAM P. EARLEY